

REMARKS

In the Office Action¹, the Examiner rejected claims 1-18 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,324,269 to Malik ("Malik") in view of U.S. Patent Application Publication No. 2004/0247088 to Lee ("Lee").

By this amendment, Applicants have amended independent claims 1, 7 and 13 and dependent claim 6, and canceled claims 12 and 18. Applicants also amend the specification to correct an obvious typographical error. No new matter is introduced by this amendment.

Independent Claim 1:

The Examiner admits that Malik "does not disclose receiving from the first device speech information voiced by the user; and deriving first information regarding the second device using the speech information." Office Action at 3. Instead, the Examiner cites Lee as disclosing these features, and asserts that "it would have been obvious for one of ordinary skill . . . to incorporate these features [of Lee] within the method [of Malik], as a way of providing an automatic voice call connection service . . . so that a user may conveniently make a phone call . . ." Id. at 4.

Applicants respectfully disagree with the Examiner's conclusion of obviousness. Nevertheless, solely in an effort to advance prosecution of the instant application, independent claim 1 is amended herein to recite:

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

1. (Currently Amended) A method for establishing a call from a first device to a second device, comprising:
 - receiving, at a first switch, a call placed by a user from the first device, the first switch directing the call to a voice portal;
 - at the voice portal, receiving from the first device speech information voiced by the user;
 - deriving first information regarding the second device, using the speech information;
 - receiving from the first device second information for associating the user with a third device;
 - dropping the call to the voice portal and transferring the establishing a new call to a first-second switch associated with the third device, based on the second information;
 - forwarding the new call from the first-second switch to a second-third switch using the first information, the second-third switch being associated with the second device; and
 - completing the new call from the second-third switch to the second device.

Support for these amendments is found in at least Paragraphs 032, 036 and 039-040 and Figures 2, 3 and 5 of Applicants' specification.

Even assuming that Malik and Lee are properly combinable as set forth in the Examiner's rejection, neither Malik nor Lee, nor their combination, teach or suggest "dropping the call to the voice portal and establishing a new call to a second switch associated with the third device, based on the second information," as recited in amended claim 1. Instead, Malik discloses that, after the SCN 56 receives the called party's number (which the Examiner equates to the claimed "first information") and the user's home telephone number (which the Examiner equates to the claimed "second information"), the SCN 56 directs the SSP to "forward the call . . . to the SCP [50] for call processing." Malik, col. 8, ll. 44-57. From the SCP 50, "the call," i.e., the same call, "is

[re]routed to the SSP serving the customer's home line." Id. at col. 8, ll. 63-64. Further, Lee discloses opening "a voice speech path 62 connected to a voice guidance and voice feature extracting device 30" (¶ 0017), and then "making a call connection through the PSTN [Public Switched Telephone Network] 60" directly to the called phone 21 (¶ 0021).

Thus, Malik and Lee are completely silent regarding "dropping the call to the voice portal and establishing a new call to a second switch associated with the third device, based on the second information," as recited in amended claim 1. For at least these reasons, Malik and Lee, whether considered individually or combined, fail to teach or suggest the subject matter of amended claim 1, and Applicants respectfully request that the rejection of claim 1 under 35 U.S.C. § 103 be withdrawn and the claim allowed.

Dependent Claims 2-6:

Dependent claims 2-6 depend from claim 1. Therefore, claims 2-6 are distinguished from the combination of Malik and Lee for at least the same reasons given above with respect to claim 1. Accordingly, Applicants respectfully request that the rejections of claims 2-6 under 35 U.S.C. 103(a) be likewise withdrawn and the claims allowed.

Additionally, Applicants respectfully note that the Examiner did not address all of the elements of claim 6 in the Office Action. See Office Action at 3-4. Specifically, the Office Action does not identify anything in Malik or Lee as corresponding to the "first processor" or "second processor" recited in claim 6. The Office Action also does not specifically identify anything in Malik or Lee as corresponding to the additional method

steps recited in claim 6. Accordingly, Applicants respectfully submit that claim 6 is allowable over the art relied upon by the Examiner in the rejection.

Independent Claim 7:

Independent claim 7 is amended herein to recite:

7. (Currently Amended) A system for establishing a call from a first device to a second device via a communication network, comprising:

a first switch for receiving a call placed by a user from a first device; ~~a first set of one or more processors and directing the call to a voice portal, the voice portal~~ for receiving from the first device speech information voiced by the user, ~~for and~~ deriving first information regarding the second device using the speech information, and ~~for~~ receiving second information for associating the user with a third device;

a first set of one or more processors for causing the call to the voice portal to be dropped and establishing a new call to a second switch based on the second information, the second switch associated with the second/third device, the second switch for receiving the new call and completing forwarding the new call to the second device, based on the first information; and

a third switch for receiving the new call from the first switch and forwarding/completing the new call to the second switch using device based on the first information.

As explained above in relation to similar language in amended claim 1, Malik and Lee, by contrast, fail to teach or fairly suggest “causing the call to the voice portal to be dropped and establishing a new call to a second switch based on the second information.” Accordingly, Applicants respectfully request that the rejection of claim 7 under 35 U.S.C. § 103 be withdrawn and the claim allowed.

Dependent Claims 8-11:

Dependent claims 8-11 depend from claim 7. Therefore, claims 8-11 are distinguished from the combination of Malik and Lee for at least the same reasons given

above with respect to claim 7. Accordingly, Applicants respectfully request that the rejections of claims 8-11 under 35 U.S.C. 103(a) be likewise withdrawn and the claims allowed.

Independent Claim 13:

Independent claim 13 is amended herein to recite:

13. (Currently Amended) A system for establishing a call from a first device to a second device, comprising:

means for receiving, at a first switch, a call placed by a user from the first device, the first switch directing the call to a voice portal;

at the voice portal, means for receiving from the first device speech information voiced by the user;

means for deriving first information regarding the second device, using the speech information;

means for receiving from the first device second information for associating the user with a third device;

means for dropping the call to the voice portal and transferring the establishing a new call to a first-second switch associated with the third device, based on the second information;

means for forwarding the new call from the first-second switch to a second-third switch using the first information, the second-third switch being associated with the second device; and

means for completing the new call from the second-third switch to the second device.

As explained above in relation to similar language in amended claims 1 and 7, Malik and Lee, fail to teach or fairly suggest “means for dropping the call to the voice portal and establishing a new call to a second switch associated with the third device,

based on the second information." Accordingly, Applicants respectfully request that the rejection of claim 13 under 35 U.S.C. § 103 be withdrawn and the claim allowed.

Dependent Claims 14-17:

Dependent claims 14-17 depend from claim 13. Therefore, claims 14-17 are distinguished from the combination of Malik and Lee for at least the same reasons given above with respect to claim 13. Accordingly, Applicants respectfully request that the rejections of claims 14-17 under 35 U.S.C. 103(a) be likewise withdrawn and the claims allowed.

Conclusion:

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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Dated: May 27, 2008

By: _____

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